Hoffa Fraud Retrial Bid Wins Subpoena Rights on Records

CHICAGO, July 7—Teamster's Union President James R. Hoffa won a first round today in his battle for a new trial on his conviction for fraud.

Hoffa's attorneys want a series of subpoenas issued for Government records used in the conviction. Today, in the first day of a hearing on the request for a new trial, government attorneys asked that the subpoena request be quashed.

U.S. District Judge Richard B. Austin refused.

The Teamsters' president is seeking a new trial on the grounds the Government used illegal methods in the gathering and use of electronically overheard conversations in convicting him of fraud in 1964.

Hoffa was sentenced to five years in prison. He and six other men were convicted of conspiring to divert over $1 million in Teamsters pension funds. Hoffa's sentence is to be served after he completes a current eight-year sentence for jury tampering.

The Supreme Court has ruled that defendants are entitled to learn the contents of data collected by electronic surveillance. It was on this ruling that Hoffa based his appeal.

Charles Bolz, chief of the Federal Bureau of Investigation's Accounting and Fraud Division, testified that the Government had in its possession seven logs of Hoffa's conversations obtained by eavesdropping.

None of the contents of the logs were disclosed in court, but the copies were handed about between defense, prosecution and the judge.